Reinstatement of Dismissed Employees

2388. SHRI GOVINDRAM MIRI: Will the PRIME MINISTER be pleased to state:

(a) whether it is a fact that if dismissal *oian* employee is set aside by High Court on technical grounds and the official is reinstated in service, an order is to be passed soon after regarding payment etc. relating to the period in which the employees was out of service; and

(b) if so, the details of the provision?

THE MINISTER OF STATE OF THE MINISTRY OF SMALL SCALE INDUSTRIES, AGRO AND RURAL INDUSTRIES, MINISTER OF STATE IN THE DEPARTMENT OF PERSONNEL AND TRAINING, DEPARTMENT. OF PENSIONS AND PENSIONERS' WELFARE OF THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS AND MINISTER OF STATE IN THE DEPARTMENTS OF ATOMIC ENERGY AND SPACE (SHRIMATI VASUNDHARA RAJE): (a) and (b) When the dismissal of a Government servant is set aside by a

Court of Law and such a Government servant is reinstated without holding further enquiry, the question of payment of pay and allowances as well as treatment of the period of his absence will have to be considered in accordance with the provisions of Rule 54-A of the Fundamental Rules for Central Government employees.

Non-Payment of Dues to Employees

†2389. SHRI RAGHAVJI: Will the PRIME MINISTER be pleased to state:

(a) the steps that can be taken, as per the provision of law against the officer of Government instrumentalities found guilty for nonpayment of dues to the employees for several years;

(b) whether any steps have been taken during the last five years as per these provisions; and

(c) if so, the details thereof and if not, the reasons therefor?

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†Original notice of the question was received in Hindi

THE MINISTER OF STATE OF DEPARTMENT OF PERSONNEL AND TRAINING AND DEPARTMENT OF PENSION AND PENSIONERS' WELFARE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS. (SHRIMATI VASUNDHARA RAJE): (a) An instrumentality of the Government can make rules in accordance with the provisions of the statute or charter of its constitution, pursuant to which it was created/set up. Action against employees of the instrumentalities for any acts of omission or commission by them is to be taken according to the rules of such instrumentalities. The details of the rules of various instrumentalities are not available with Department of Personnel and Training.

(b) & (c) Department of Personnel and Training does not monitor the observance of rules and regulations of the instrumentalities, Hence, the required information is not centrally available.

Ban on the Selection of all India Service Officers to the Ministries

2390. SHRI V. KISHORE CHANDRA S. DEO: Will the PRIME MINISTER be pleased to state:

(a) whether it is a fact that Government have banned the selection of All India Service officers to the Ministries where they have earlier served as Joint Secretary and above;

(b) if so, when did this guideline came into force;

(c) what is the purpose of this guideline;

(d) whether such a rule mitigates against using the experience of senior officers in social sector Ministries; and

(e) the steps proposed to review this guideline?

THE MINISTER OF STATE OF THE MINISTRY OF SMALL SCALE INDUSTRIES, AGRO AND RURAL INDUSTRIES, MINISTER OF STATE IN THE DEPARTMENT OF PERSONNEL AND TRAINING, DEPARTMENT OF PENSIONS AND PENSIONERS' WELFARE OF THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS AND MINISTER OF STATE IN THE DEPARTMENTS OF ATOMIC ENERGY AND SPACE: (SHRIMATI VASUNDHARA RAJE): (a) and